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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/529,304	04/12/2000	YOSHIMI ISU	1163-270P	6441
2292	7590	05/26/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			VO, TUNG T	
			ART UNIT	PAPER NUMBER
			2613	
DATE MAILED: 05/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/529,304	ISU ET AL.	
	Examiner Tung T. Vo	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 April 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 4-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1,4,5,9-11 and 14-17 is/are allowed.
- 6) Claim(s) 6-8,12 and 13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>21, 22</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohki et al. (US 5,361,096).

Re claims 6-8, Ohki discloses an image coding apparatus comprising:

coding means (1-4 of fig. 3) for generating a first coded bit stream (CHANNEL A INPUT of fig. 3) by encoding an image signal in a first coding scheme (ENCODER 1 of fig. 3) in accordance with first predetermined compression algorithm standard;

header information multiplexing means (6 of fig. 5,e.g. where multiplexed A, B, C, and D signals are 600 of fig. 3) for multiplexing, into the first coded bit stream, header information, including image coding information in accordance with a second predetermined compression algorithm standard (2 of fig. 3), for ensuring compatibility with a second coded bit stream encoded in a second coding scheme (2 of fig. 3) in accordance with the second predetermined

compression algorithm standard (Note wherein CHANNEL A INPUT AND CHANNEL B INPUT ARE DIFFERENT IN THE PREDETERMINED COMPRESSION STANDARDS).

decoding means (12 of fig. 40 for decoding a second coded bit stream coded in a second coding scheme in accordance with a second predetermined compression algorithm standard (CHANNEL B INPUT has been encoded in the second predetermined compression standard that is different from the first predetermined compression standard, see ENCODERS 1 and 2 of fig. 3; and DECODER 12 of fig. 4).

coded bit stream converting means (600 of fig. 3 and 100 of fig. 4,e.g. TRANSMISSION LINE) for transmitting the first coded bit stream received from said coding means (ENCODERS 1-4 of fig. 3) to said decoder (12 of fig. 4), after multiplexing (6 of fig. 3) into the first coded bit stream first header information (figs. 7 and 8), including image coding information in accordance with the second predetermine compression algorithm standard (CHANNEL B, HEADER B), for ensuring compatibility, which is received from said decoding means (12 of fig. 4); a start code of the second coding scheme and coding scheme identification information indicative of the first coding scheme (HEADER A for DATA A, HEADER B for DATA B of fig. 8).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2613

5. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohki et al. (US 5,361,096) in view of Brusewitz et al. (US 6,038,257).

Re claims 12 and 13, Ohki teaches encoders (1-4 of fig. 3) for encoding the channel A, B, C, and D inputs, respectively except the coding schemes are H.263 and MPEP-4 as claimed

However, Brusewitz teaches the well known in the art that the digital video compression standards, such as MPEG-1, MPEG-2, MPEG-4, H.261, and H.263, a compression scheme called hybrid motion-compensated block-based video coding is employed, so this would suggest the first coding (compression) scheme is H.263 standard and the second coding (compression) scheme is MEPG-5 standard as suggested by Brusewitz (col. 4, lines 15-36).

Therefore, taking the combined teachings of Ohki and Brusewitz et al. as a whole. It would have been obvious to one of ordinary skill in the art to implement the first coding scheme H.263 and the second coding scheme MEPG-4 of Brusewitz into the first and second encoders (1 and 2 of fig. 3) of Ohki for the same purpose of efficiently encoding the first coding scheme, H.263, or the second coding scheme MPEG-4 based upon the first header information or the second header information as claimed. Doing so would allow the system to improve the display of a high-resolution image through integration with a corresponding lower resolution video image as suggested by Brusewitz (col. 1, lines 11-14).

Allowable Subject Matter

6. Claims 1, 4-5, 9-11, and 14-17 are allowed.

7.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the previous Office Action, Paper No. 20.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A handwritten signature in black ink, appearing to read "TUNG T. VO" above "PATENT EXAMINER".

Tung T. Vo
Examiner
Art Unit 2613

T.Vo